

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff.

V.

LIOBANY SERRANO LUNA,

Defendant.

NO. CR 19-173 RSM

**ORDER VACATING TRIAL DATE
AND SETTING STATUS
CONFERENCE**

Having considered the record and the government's motion, the Court finds that trial in this case cannot proceed on the currently scheduled date of August 17, 2020. For the reasons set forth in the government's motion and the Court's General Orders regarding the COVID-19 pandemic, incorporated herein by reference, the ends of justice served by granting a continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §§ 3161(h)(7)(A), (B)(i), (iv). The Court further finds that failure to grant this continuance would likely make trial impossible and result in a miscarriage of justice, and would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §§ 3161(h)(7)(B)(i), (iv).

1 Therefore, the Court GRANTS the government's motion.

2 The trial date of August 17, 2020, is hereby VACATED.

3 A status conference is SCHEDULED for September 21, 2020 at 10:00 a.m.. At that
4 status conference, the Court will set a new trial date.

5 IT IS FURTHER ORDERED that the time between the date of the filing of the
6 government's motion and August 19, 2020, is excluded in computing the time within which
7 trial must commence because the ends of justice served by granting this continuance
8 outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. §
9 3161(h)(7)(A). The Court finds that failure to grant this continuance would likely make trial
10 impossible and result in a miscarriage of justice, and would deny counsel for the defendant
11 and government counsel the reasonable time necessary for effective preparation, taking into
12 account the exercise of due diligence. *Id.* § (B)(i), (iv).

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14 Dated this 11th day of August, 2020.

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17 RICARDO S. MARTINEZ
18 CHIEF UNITED STATES DISTRICT JUDGE
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20 Presented by:

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22 /s/ Jessica M. Manca
23 JESSICA M. MANCA
24 Assistant United States Attorney
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